

No. 23-13292-G

**IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

UNITED STATES OF AMERICA,

Respondent/appellee,

v.

MINAL PATEL,

Movant/appellant.

**On Appeal from the United States District Court
for the Southern District of Florida**

**APPELLANT'S UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE INITIAL BRIEF**

**RICHARD C. KLUGH, ESQ.
Counsel for Appellant
40 N.W. 3rd Street, PH1
Miami, Florida 33128
Tel. No. (305) 536-1191**

**CERTIFICATE OF INTERESTED PERSONS AND
CORPORATE DISCLOSURE STATEMENT**

United States v. Minal Patel, Case No. 23-13292-G

Appellant, Minal Patel, files this Certificate of Interested Persons and Corporate Disclosure Statement, listing the parties and entities interested in this appeal, as required by 11th Cir. R. 26.1.

Aetna, Inc., a subsidiary of CVS Health Corporation (CVS)

Argentieri, Nicole M.

Bentley III, A. Lee

Besen, Gene R.

Brown, Richard O. I.

Calderon, Marx

Centene Corporation (CNC)

Centers for Medicare and Medicaid Services

Cuyler Jr., Reginald

CVS Health Corporation (CVS)

Dinnen, Michael W.

Duffy, Jerrob

Dwyer, Jared Edward

Furtado, Kathryn C.

Griner, Shawn

United States vs. Minal Patel, Case No. 23-13292-G
Certificate of Interested Persons (Cont'd)

Goodman, Hon. Jonathan, U.S. Magistrate Judge

Gurskis, Emily

Hayes, James V.

Herbert, Brendan I.

Hirsch, Brett

Humana, Inc. (HUM)

Keown, Lindy Kathryn

Klco, Sara Michele

Klugh, Richard C.

Kosmidis, John

Laserna, Peter A.

Loper, Timothy P.

Lytle, Christopher

Matthewman, Hon. William, U.S. Magistrate Judge

McKeon, Christina

Michaels, Steven S.

Miller, Lisa H.

Orr, Gregory

United States vs. Minal Patel, Case No. 23-13292-G
Certificate of Interested Persons (Cont'd)

Queenan, Patrick J.

Raines, Lauren Goldberg

Ramamurthy, Senthil

Raphael, Kevin E.

Reinhart, Hon. Bruce E., U.S. Magistrate Judge

Rookard, Katherine

Salnick, Michael

Sanders, Jeremy R.

Scanlon, John

Speights, Ric

Sporn, Marc

Sztyndor, Robyn Lynn

United HealthCare Services, Inc., a subsidiary of UnitedHealth Group (UNH)

UnitedHealth Group (UNH)

WellCare Health Plans, Inc., a subsidiary of Centene Corporation (CNC)

Zimet, Bruce Alan

Ziros, Athanasios

**APPELLANT’S UNOPPOSED MOTION TO EXTEND
TIME TO FILE APPELLANT’S INITIAL BRIEF**

Appellant, Minal Patel, through undersigned counsel, respectfully requests that the Court grant an extension of time of 30 days to file his initial brief.

1. This is an appeal from the defendant’s conviction and 27-year sentence following a jury trial on charges of Medicare fraud, money laundering, and false statements arising from an extensive federal investigation of health care and wire fraud in the provision of, and insurance billing for, genetic testing for cancer risks. Appellant’s initial brief is due on November 29, 2024. Prior unopposed extensions of time have been granted in light of the extraordinarily extensive record in this case. As to the undersigned, this is a cold record appeal. The defendant is incarcerated.

2. Appellant seeks an extension of time to permit him to supplement the record with additional transcripts of district court proceedings for which Appellant has filed a supplemental transcript order form. On November 20, 2024, filter team counsel submitted to counsel for the appellant additional ostensibly privileged material that appears to bear relevance on Appellant’s claim of error in the district court’s resolution of claims of conflict of interest by trial counsel. Following that provision of discovery, counsel for Appellant filed a supplemental transcript order for pretrial hearings bearing on issues in this appeal. Principally based on the need to supplement the record with the transcripts, Appellant seeks this extension of time.

3. The record in this appeal is unusually voluminous and complex. The charges include fraud, conspiracy, kickbacks, and money laundering, with the sums allegedly involved exceeding \$450 million. The district court imposed forfeiture in

the amount of \$187,369,693, in addition to a restitution judgment in the same amount. There are more than 2,000 government trial exhibits, with many consisting of extensive compilations of documentary and medical records. There are more than 3,000 pages of transcripts of district court proceedings and more than 580 docketed filings. The case involves complex medical and scientific issues on genetic testing and first impression issues arising from the charged genetic testing fraud.¹

4. Undersigned counsel is attempting to complete review and analysis of the newly-produced filter team material and to confer with the defendant and with former counsel regarding the this production. The filter team production, in combination with the need to supplement the record with additional transcripts, warrants granting the requested extension of time. Review of the supplemental and newly-available information will assist in assuring that the relevant record on appeal is complete, that the appellate arguments are factually sound, and that any additional transcript preparation or unsealing of additional transcripts is effected. Given the unusual procedural history of this case, and to ensure effective assistance of counsel on appeal, the requested extension of time is warranted and will serve the interests of justice and judicial economy.

5. Counsel for the government, United States Department of Justice Attorney Jeremy Sanders, advises that the government does not oppose this motion.

¹ The testing included cancer genomic (CGx) testing, using DNA sequencing to detect genetic mutations that may indicate a higher risk of developing certain types of cancers, and pharmacogenetic (PGx) testing, using DNA sequencing to assess how the body's genetic makeup would affect the response to certain medications.

WHEREFORE, appellant Minal Patel respectfully moves to extend the time to file his initial brief by 30 days to December 30, 2024.

Respectfully submitted,

s/ Richard C. Klugh
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Miami, Florida 33128
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CERTIFICATE OF COMPLIANCE

I hereby certify that this motion contains 568 words and complies with the typeface and type-style requirement of Fed. R. App. P. 32(a)(5) and (6) because it was prepared in a WordPerfect proportionally spaced Times New Roman 14-point font.

s/ Richard C. Klugh
Richard C. Klugh, Esq.